

**REMARKS**

Reconsideration and allowance of this Application are respectfully requested in light of the foregoing amendment and following remarks.

***Claim Format***

Dependent claims have had a comma added following the claim number referencing the claim from which they depend for readability reasons.

Claims 2, 5 and 6 have 'steps' amended to 'step' to correct an error in the wording of these claims.

Claim 17 has had 'elements' amended to 'element' to correct an error in the wording of this claim.

Claim 2 has had an extraneous colon deleted.

***Specification***

2. The numbering of claims is not in accordance with 37 CFR 1.126.

**Office Action Position**

Misnumbered claims 13 and 51 are repeated twice, claims 14-58 needs to be renumbered.

**Applicants Response**

Claims including the second claim 13 through the end of the claims have been renumbered by the foregoing claim amendments that are in accordance with the direction of the Office Action to correct the original incorrect numbering of the original claims by renumbering. No new claims have been added and Applicants confirm that present claims 1-58, as indicated in paragraph 1 of the Office action, are now pending in the present application as a result of this renumbering.

***Claim Rejections – 35 USC §102***

For every one of the claim rejections of the Office Action, the Office Action merely quotes a preamble and/or one or more limitations of Applicants' claims and never explains how the cited part of the reference teaches Applicants' quoted preamble and/or one or more limitations. If the Examiner maintains the rejections, Examiner should explain how the cited part of the reference teaches the thereby rejected element of the Applicants claim.

Anticipation is a strictly technical rejection. In each of the following arguments to overcome a rejection of claims based on anticipation, Applicants rely on the fact that it is well-settled that to establish anticipation requires a single prior art reference in which all of the same elements are found in exactly the same situation and united in the same way to perform the identical function. That is, “Unless all of the same elements are found in exactly the same situation and united in the same way to perform the identical function in a single prior art reference, there is no anticipation under 35 U.S.C. §102.” See, e.g., *Saf-Gard Products, Inc. v. Service, Inc.*, 532 F.2d 1266, 1290 (9<sup>th</sup> Cir. 1976), *cert. denied*, 429, U.S. 898 (1976); *Roberts v. Sears, Roebuck & co.*, 723 F.2d 1324, 1332 (7<sup>th</sup> Cir. 1983) (quoting *Illinois Tool Works, Inc. v. Sweetheart Plastics, Inc.*, 536 F.2d 1180, 1182-3 (7<sup>th</sup> cir.), *cert. dismissed*, 403 U.S. 942 (1971)).

3. Claims 1-58 are rejected under 35 U.S.C. 102(e) as being anticipated by Eintracht et al. (U.S. Patent 6,687,878, hereinafter “Eintracht”)

4. Claims 1 and 23

Office Action Position

The Office Action alleges

“As per claims 1 and 23, Eintracht discloses a computer – implemented method of network collaboration through embedded annotation and rendering instructions to generate, transmit, and render collaborative content, the method comprising the steps (see abstract, col 2, lines 8-67, col 3, lines 1-67) of:

generating a collaborative content including a base document and at least one collaborative content element (col 2, lines 40-46);

rendering said collaborative content (col 2, lines 8-55); and

transmitting said collaborative content between client workstations. (col 2, lines 8-67).”

Applicants Response

Applicants respectfully traverse

Applicants note that the above text is only recited in independent method claim 1 and that independent system claim 23 recites a system having a processor that generates and renders collaborative content before transmitting the collaborative content between client workstations.

Each of the preambles of independent claims 1 and 23 recite embedded annotation and rendering instructions. Nowhere in any of the locations cited in the Office Action of the Abstract, Col. 2, lines 8-67, Col. 3, lines 1-67 or anywhere else in the cited Eintracht reference does Eintracht either teach or suggest *collaboration through embedded annotation and rendering instructions*. At one of the cited locations (Col. 2 lines 5-15) Eintracht teaches that “The documents and associated annotations are treated independently from each other. Separate data structures are created for the documents and for the associated annotations thus permitting their independent management.” Thus, Eintracht explicitly teaches away from embedding annotations.

Claims 1 and 23 recite generating a collaborative content including a base document and at least one collaborative content element, rendering said collaborative content, and transmitting said collaborative content between client workstations. Eintracht teaches that notes information are transmitted between client and server applications (Col. 2, lines 28-29) and a synchronization button is provided such that when pressed by the user the annotations generated by the user are transmitted from the client to the server and that the server, in response, transmits back *inter alia* any new notes that other clients may have posted since the last synchronization was performed (Col. 2, lines 41-46). Thus, Eintracht does not teaching generating a collaborative content including a *base document and at least one collaborative content element*, and transmitting said collaborative content between client workstations, as recited by instant claims 1 and 23. In fact, Eintracht teaches away from generating and transmitting such a collaborative content by teaching “In accordance with the invention, the annotations are transmitted from the server independent of the data transmitted that is related to the viewed document.” (Col. 2, lines 50-53) Eintracht is not teaching generating the collaborative content recited by instant claims 1 and 23 and is not teaching transmitting said collaborative content as recited by instant claims 1 and 23.

In view of the foregoing discussion, and the introductory remarks concerning the requirements for an anticipation rejection, Eintracht neither anticipates instant independent claims 1 and 23 nor claims 2-16 and 24-40, respectively dependent therefrom, and the rejection should be withdrawn. Claims 1 and 23 are allowable and

claims 2-16 and 24-40, respectively dependent therefrom, are allowable for at least this reason.

#### 4. Claim 2 and 24

##### Office Action Position

The Office Action alleges

“As per claims 2 and 24, Eintracht discloses further comprising the steps of annotating said collaborative content by adding another collaborative content element (col 2 lines 34-67).”

##### Applicants' Response

Applicants respectfully traverse.

As already argued with respect to instant claims 1 and 23, Eintracht nowhere teaches or suggests generating collaborative content including a base document and at least one collaborative content element and therefore Eintracht does not teach annotating said collaborative content by adding another collaborative content element. Contrary to the allegation of the Office Action that a user adds another collaborative content element to already existing collaborative content that includes a base document and at least one collaborative content element, Eintracht only teaches a user (client) creating, editing retrieving and storing notes either at the server Col. 22-24 or locally (Col. 2, line 35-36) and sending only the user-generated annotations from the client to the server (Col. 2, lines 41-46), and transmitting only other users' annotations from the server to the client all independent of the data transmitted that is related to the viewed document (Col. 2, lines 51-53). Eintracht cannot add another element to a non-existent collaborative content where the collaborative content includes a base document and at least one collaborative content element as recited by claims 2 and 24. Eintracht teaches maintaining documents and their annotations independent of one another. Eintracht does not teach or suggest or imply or even hint at collaborative content as recited by instant claims 2 and 24 as including a base document and at least one collaborative content element.

In view of the foregoing discussion, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate

instant dependent claims 2 and 24, dependent claims 2 and 24 have an independent basis for allowability, and the rejection thereof should be withdrawn.

7. Claims 4 and 26

Office Action Position

The Office Action alleges

“As per claims 4 and 26, Eintracht discloses where said annotating step comprises inputting a text element to name said collaborative content element (col 15, lines 10-14).

Applicants' Response

Applicants respectfully traverse.

Neither at the cited location nor anywhere else does Eintracht teach or even suggest inputting a text element to name said collaborative content element, as recited by instant dependent claims 4 and 26.

In view of the foregoing remark, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claims 4 and 26, dependent claims 4 and 26 have an independent basis for allowability, and the rejection thereof should be withdrawn.

9. Claim 6 and 28

Office Action Position

The Office Action alleges:

“As per claims 6 and 28, Eintracht discloses wherein said annotating steps comprises providing a visual cue to indicate the state of said collaborative content composition step (col 2, lines 65-67).”

Applicants' Response

Applicants respectfully traverse.

Neither at the cited location nor anywhere else does Eintracht teach or even suggest providing a visual cue to indicate the state of said collaborative content composition step. At the cited location of Col. 2, lines 65-67. Eintracht teaches notifying clients of a database change at the server and does not teach providing a visual cue to

indicate the state of said collaborative content composition step which step is taking place at the client and is therefore not a database change at the server.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claims 6 and 28, dependent claims 6 and 28 have an independent basis for allowability, and the rejection thereof should be withdrawn.

#### 11. Claims 8 and 30

##### Office Action Position

The Office Action alleges:

“As per claims 8 and 30, Eintracht discloses wherein said transmitting step is initiated by a user selecting a visual element to transmit said collaborative content (col2, lines 47067, col 3, lines 1-4)”.

##### Applicants' Response

Applicants respectfully traverse.

Neither at the cited location nor anywhere else does Eintracht teach or even suggest providing a user selecting a visual element to transmit said collaborative content. Further, Eintracht only teaches a user transmitting annotations whereas the collaborative content recited by instant claims 8 and 30 includes a base document and at least one collaborative content element.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claims 8 and 30, dependent claims 8 and 30 have an independent basis for allowability, and the rejection thereof should be withdrawn.

#### 15. Claims 15 and 37

The Office Action alleges:

“As per claims 15 and 37, Eintracht discloses wherein said rendering step is performed on a server (col 2, lines 56-67).”

Applicants' Response

Applicants note that the paragraph 15 of the Office Action is repeated and that this response is to the second paragraph 15 of the Office Action, which follows paragraph 17 and precedes paragraph 18 thereof.

Applicants respectfully traverse.

Neither at the cited location nor anywhere else does Eintracht teach or even suggest a rendering step is performed on a server, as recited by instant claims 15 and 37. At the cited location, Eintracht teaches posting annotations to the server by a client and *does not teach the server performing the rendering step*. And, at Col. 2, lines 53-55 Eintracht teaches "At the client side, the client application layers the annotations over the image (or document)...", i.e., that it is the client that performs the rendering step.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claims 15 and 37, dependent claims 15 and 37 have an independent basis for allowability, and the rejection thereof should be withdrawn.

18. Claims 16 and 38Office Action Position

The Office Action alleges:

"As per claims 16 and 38, Eintracht discloses wherein the collaborative content transmitted in said transmitting step includes a URL and rendering instructions (col 4, lines 53-58)".;

Applicants' Response

Applicants respectfully traverse.

Neither at the cited location nor anywhere else does Eintracht teach or even suggest the collaborative content transmitted in said transmitting step includes a URL and rendering instructions, as recited by instant claims 16 and 38.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claims 16 and 38, dependent claims 16 and 38 have an independent basis for allowability, and the rejection thereof should be withdrawn.

19. Claim 17Office Action Position

The Office Action alleges:

“Eintracht discloses a network collaboration tool using embedded annotation and rendering instructions comprising:

a web browser software for displaying collaborative content (sol 2, lines 9-67, col 7, lines 24-44);

a graphical collaboration tool for generating at least one collaborative content element on the collaborative content displayed in said web browser software and transmitting the at least one collaborative content element fig 2-3, col 2, lines 9-67, col 7, lines 24-44); and

a server process for receiving at least one generated collaborative content elements, rendering the collaborative content in combination with the collaborative content elements, and generating a combined collaborative content including collaborative content elements for display by said web browser software (fig 2-3, col 2, lines 9-67, col 7, lines 24-44).”

Applicants' Response

Applicants respectfully traverse.

As noted above in the discussions of dependent claims 15 and 37, Eintracht *does not teach the server performing the rendering step*, and at Col. 2, lines 53-55 Eintracht teaches “At the client side, the client application layers the annotations over the image (or document)...”, i.e., that it is the client that performs the rendering step. Further, neither Fig. 2 nor Fig. 3 show any rendering step being performed at a server, much less rendering the collaborative content (*document*) in combination with the collaborative content elements (*annotations*), italicized items added as explanation. At the cited location of Col. 2, lines 9-67 Eintracht teaches “At the client side, the client application layers the annotations over the image (or document)...”, i.e., that it is the client that performs the rendering step. Further, at the cited location Col. 7, lines 24-44 Eintracht teaches a web browser 42 shown in Fig. 3 at a NOTES CLIENT and not at a web server 48 and explained in the Eintracht specification as comprising a Note Plug-In component 44 that is the tool used for browsing the documents located on the server side (Col. 7, line 34) and it is invoked each time the browser gets a response from the Web Server 54 (Col. 7, lines 35-36) and that the communication protocol between Notes Clients and



Notes server is standard HTTP "...The web browsers 42 and the Notes Server 58 communicate with the web server 54 via the HTTP protocol" (Col. 7, lines 37-44). Finally, Applicants point out that at least at Fig. 7 Eintracht teaches that it is the Client that displays (renders) the document and notes (the combined collaborative content) and not the server.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate independent claim 17, nor does Eintracht anticipate claims 18-22 dependent therefrom, for at least this reason. Independent claim 17 is allowable, and dependent claims 18-22 dependent from allowable claim 17 are allowable for at least this reason, and the rejections of these claims should be withdrawn.

### 23. Claim 21

#### Office Action Position

The Office Action alleges:

"As per claim 21, Eintracht discloses wherein said web browser software, said graphical collaboration tool, and said server process execute on the same computer system (col 7, lines 24-35)."

#### Applicants' Response

Applicants respectfully traverse.

Nowhere does Eintracht teach or suggest said web browser software, said graphical collaboration tool, and said server process execute on the same computer system. At the cited location of Col. 17, line 24-35, Eintracht teaches that a Notes Client 41 is "...used for browsing documents located on the server side ..." not that the processing for browsing is taking place on the server side.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claim 20, dependent claim 20 has an independent basis for allowability, and the rejection thereof should be withdrawn.

24. Claim 22Office Action Position

The Office Action alleges:

As per claim 22, Eintracht discloses wherein said web browser software, said graphical collaboration tool, and said server process each execute on a separate computer system (fig 2-3, col 7, lines 24-51);”

Applicants' Response

Applicants respectfully traverse.

At the cited locations in the reference used by the Office Action to support the a graphical collaboration tool, Eintracht teaches that “...Each web browser comprises a Note Plug-In component 44 that loads into the browser (col 7, lines 24-44) and that the “ ... client side ... software application functions to display the document that the user wishes to annotate and provides the tools necessary to permit the user to create, edit, retrieve and store notes. Note that the client software application can be implemented as a web browser plug-in module. The plug-in contains the user interface for navigating within the document and for handling the notes” (col 2, lines 9-67). However, nowhere in the cited fig 2-3 does Eintracht teach a graphical collaboration tool executing on a separate computer system from the computer system on which the web browser software is executing. In fact, the NOTE PLUG-IN 44 is shown as an integral part of the WEB BROWSER 42 which is part of a NOTES CLIENT 41 and is not shown as part of any server, e.g., not part of the WEB SERVER 54, the NOTES SERVER 58 or the DOCUMENT FILE SERVER 62, which are the only servers illustrated in Figs. 2-3.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claim 22, dependent claim 22 has an independent basis for allowability, and the rejection thereof should be withdrawn.

## 25. Claim 39

### Office Action Position

The Office Action alleges:

“Eintracht discloses wherein said sequences of instructions include at least one of a client-side scripting language (page description language, col 6, lines 31-54).”

### Applicants' Response

Applicants respectfully traverse.

Applicants point out that a page description language is not a scripting language and further Nowhere does Eintracht teach “a memory coupled to the processor, said memory having stored therein sequences of instructions which, when executed by said processor, cause said processor to generate a collaborative content including a base document and at least one collaborative content element, render the collaborative content, and transmit the collaborative content between client workstations wherein said sequences of instructions include at least one of a client-side scripting language” as recited by instant claim 39. At the cited location Eintracht teaches that a document may be expressed in a page description language such as Postscript and Adobe PDF and does not teach sequences of instructions include at least one of a client-side scripting language.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claim 39, dependent claim 39 has an independent basis for allowability, and the rejection thereof should be withdrawn.

## 26. Claim 40

### Office Action Position

The Office Action alleges:

“Eintracht discloses wherein said sequences of instructions include at least one of Javascript and dynamic HTML (page description language, col 6, lines 31-54).”

### Applicants' Response

Applicants respectfully traverse.

Applicants point out that a page description language is not a language such as Javascript or dynamic HTML and further Nowhere does Eintracht teach “a memory coupled to the processor, said memory having stored therein sequences of instructions which, when executed by said processor, cause said processor to generate a collaborative content including a base document and at least one collaborative content element, render the collaborative content, and transmit the collaborative content between client workstations wherein said sequences of instructions include at least one of a client-side scripting language” as recited by instant claim 39. At the cited location of Col. 6, lines 31-54 Eintracht teaches that a document may be expressed in a page description language such as Postscript and Adobe PDF and does not teach sequences of instructions include at least one of Javascript and dynamic HTML. Finally, at the cited location of Col. 9, line 28-30 Eintracht teaches utilizing Java on the server to trigger the client and update the client display. However, the paragraph containing this cited location, namely, Col. 9 lines 24-39 clearly disclose that Eintracht is teaching using Java in the server, rather than HTTP for a notes only synchronization process and not for generating a collaborative content including a base document and at least one collaborative content element, as recited by instant claim 40.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claim 40, dependent claim 40 has an independent basis for allowability, and the rejection thereof should be withdrawn.

## 27. Claim 41

### Office Action Position

The Office Action alleges:

“As per claim 41, Eintracht discloses a client system for network collaboration comprising:

a collaborative content (see abstract); and

a graphical collaboration tool for generating (fig 3, col 6, lines 31-54), transmitting (col 2, lines 8-55), and rendering said collaborative content (col 2, lines 8-55) wherein said graphical collaboration tool is downloaded from a server (plug-in, fig 3, col 8, lines 24-43).”

#### Applicants' Response

Applicants respectfully traverse.

Applicants again assert that Eintracht does not teach a collaborative content but teaches that documents and associated annotations are treated independently from each other whereby separate data structures are created for the documents and for the associated annotations (Abstract).

Eintracht nowhere teaches or suggests a graphical collaboration tool for generating, transmitting, and rendering said collaborative content. In fact, the documents and notes are taught by Eintracht as even being displayed independently “At the client side, the client application layers the annotations over the image (or document)...” (Col. 2, lines 53-55). No collaborative content is being generated so that no collaborative content can be transmitted. Documents are stored separately from notes on a server, as taught by Eintracht at Col. 3, lines 15-28 “...a document file located on a server, the document file for storing one or more documents, a notes database located on the server, the notes database for storing one or more notes, ..., one or more notes clients coupled to a network, each notes client operative to locally display a representation of a document remotely stored on the server in the document file, the notes client adapted to permit a user to annotate the document with one or more notes, the notes client operative to simultaneously display the one or more notes associated with the document over the displayed document such that the document is viewable along with the one or more notes, a notes server coupled to the network, the notes server operative to store the document in the document file separately from notes stored in the notes database...”.

Finally, nowhere either at the cited locations of fig 3 and col 8. lines 24-43, or anywhere else in the cited reference does Eintracht teach or suggest or even hint that a graphical collaboration tool (plug-in) is downloaded from a server. Applicants note that Fig. 6 item 120 shows the CLIENT LOADS NOTES CLIENT PLUG-IN and Fig. 7 shows the client performs LOAD PLUG-IN.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate independent claim 41 and therefore does not anticipate dependent claims 42-50 dependent therefrom. The rejections of claims 41-50 should be withdrawn, independent claim 41 is allowable and claims 42-50 dependent therefrom are allowable for at least this reason.

## 28. Claim 42

### Office Action Position

The Office Action alleges:

“As per claim 42, Eintracht discloses wherein said collaborative content is referencable by a URL (col 4, lines 13-37).”

### Applicants' Response

Applicants respectfully traverse.

Applicants again assert that Eintracht does not teach a collaborative content but teaches that documents and associated annotations are treated independently from each other whereby separate data structures are created for the documents and for the associated annotations (Abstract).

Eintracht further teaches that separate URLs are associated with a document and the notes associated with the document that is a teaching of separately storing the document and its associated notes at the locations indicated by the corresponding URLs and is not a teaching of a collaborative content referencable by a URL, as alleged by the Office Action. Eintracht teaches, at the cited location, that the document has an associated URL and document notes have a separate document note URL corresponding to the notes associated with the document. Eintracht alternatively teaches a document folder URL associated with a folder comprising one or more documents that are to be viewed and annotated (Col. 4, lines 41-46).

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claim 42, claim 42 has an independent basis for allowability and the rejection thereof should be withdrawn.

### 31. Claim 45

#### Office Action Position

The Office Action alleges:

“As per claim 45, Eintracht discloses wherein said collaborative content includes a URL of a base document and a representation of a collaborative content element (fig 5, col 4, lines 13-38).”

#### Applicants' Response

Applicants respectfully traverse.

Fig 5 only discloses the URL of a folder of documents. Applicants again assert that Eintracht does not teach a collaborative content but teaches that documents and associated annotations are treated independently from each other whereby separate data structures are created for the documents and for the associated annotations (Abstract) and further, as taught by Eintracht at the cited location of col 4, lines 13-38, separate requests are made by a client for each of a document and the annotations associated with a document. Nowhere does Eintracht teach a collaborative content much less that a collaborative content includes a URL of a base document and a representation of a collaborative content element, as recited by instant dependent claim 45.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claim 45, claim 45 has an independent basis for allowability and the rejection thereof should be withdrawn.

### 32. Claim 46

#### Office Action Position

The Office Action alleges:

“As per claim 46, Eintracht discloses wherein said graphical collaboration tool, in response to a user manipulating said graphical collaboration tool to add a collaborative content element, transmits a representation of the collaborative content element and the URL of said collaborative content to a server and receives from the server said collaborative content including the added collaborative content element (see abstract, fig 5, col, 31-54).”

Applicants' Response

Applicants respectfully traverse.

Applicants point out that the column number of the location in the reference was not provided in the Office Action and Applicants are assuming that the missing column number is 6, as in paragraph 33.

Fig 5 only discloses the URL of a folder of documents.

Applicants again assert that Eintracht does not teach a collaborative content but teaches that documents and associated annotations are treated independently from each other whereby separate data structures are created for the documents and for the associated annotations (Abstract). And further, as taught by Eintracht at location col 4, lines 13-38, separate requests are made by a client for each of a document and the annotations associated with a document. Nowhere does Eintracht teach a collaborative content much less that a client receives from a server "...said collaborative content including the added collaborative content element", as recited by instant dependent claim 46. Finally, at the cited location of abstract, fig 5, and col 6, lines 31-54 there is no teaching by Eintracht of a graphical collaboration tool transmits a representation of the collaborative content element (note) and the URL of said collaborative content (document) to a server and receives from the server said collaborative content including the added collaborative content element. The document and the annotations are stored separately, requested separately, and displayed separately according to preceding discussions of collaborative content and the teachings of Eintracht as cited in the preceding discussions of collaborative content.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claim 46, claim 46 has an independent basis for allowability and the rejection thereof should be withdrawn.

33. Claim 47

Office Action Position

The Office Action alleges:



“As per claim 47, Eintracht discloses wherein said graphical collaboration tool, in response to a user manipulating said graphical collaboration tool to modify a collaborative content element, transmits a representation of the collaborative content element and the URL of said collaborative content to a server and receives from the server said collaborative content including the modified collaborative content element (see abstract, fig 5, col 6, lines 31-54).”

#### Applicants' Response

Applicants respectfully traverse.

See the preceding discussion of dependent claim 46, but for a modified collaborative content element.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claim 47, claim 47 has an independent basis for allowability and the rejection thereof should be withdrawn.

#### 39. Claim 53

##### Office Action Position

The Office Action alleges:

“As per claim 53, Eintracht discloses a server system for network collaboration comprising:

a collaborative content (see abstract); and

a server process for responding to a user request wherein the user request includes at least one of a request for said collaborative content (col 2, lines 8-67, col 3, lines 12-36), a graphical collaboration tool (fig 3, col 6, lines 31-54), said collaborative content including an added collaborative content element (col 2, lines 8-67), and said collaborative content including a modified collaborative content element (abstract, col 3, lines 5-67).”

#### Applicants' Response

Applicants respectfully traverse.

In the Abstract Eintracht only teaches “...a web server application on the server side function to capture requests from one or more note client applications for creating, storing, editing and retrieving annotations related to specific documents stored on the notes server. On the client side, the notes client functions to display the document that

the user wishes to annotate and provides the tools necessary to permit the user to create, edit, delete, retrieve and store notes.” At col 2, lines 8-67, Eintracht teaches what the Abstract teaches as well as “...A notes server functions to log all annotation activities along with information about the corresponding clients that create, edit and retrieve them. ... The notes information are transmitted between client and server application ,,, On the client side a client software application functions to display the document that the user wishes to annotate and provides the tools (*graphical collaboration tool*) necessary to permit the user to create, edit, retrieve and store notes. ... the client software application can be implemented as a web browser plug-in module...”.

Nowhere either at the cited locations of fig 3 and col 6. lines 31-54, or anywhere else in the cited reference does Eintracht teach or suggest or even hint at a server system comprising a graphical collaboration tool.

Applicants also refer to the discussions above relating to claims 46 and 47 concerning Eintracht’s lack of a teaching for including an added and a modified collaborative content element, respectively.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate independent claim 53 and therefore does not anticipate dependent claims 54-58 dependent therefrom. The rejections of claims 53-58 should be withdrawn, independent claim 53 is allowable and claims 54-58 dependent therefrom are allowable for at least this reason.

#### 40. Claim 54

##### Office Action Position

The Office Action alleges:

“As per claim 54, Eintracht discloses wherein said collaborative content is referencable by a URL (col 4, lines 13-37).”

##### Applicants’ Response

Applicants respectfully traverse.

Applicant refer to the discussion of paragraph 28 above dealing with an identical rejection of claim 43.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claim 54, dependent claim 54 each has an independent basis for allowability and the rejection thereof should be withdrawn.

42. Claim 56

Office Action Position

The Office Action alleges:

“As per claim 56, Eintracht discloses wherein said collaborative content includes a URL of a base document and a representation of a collaborative content element (col 4, lines 13-37).”

Applicants' Response

Applicants respectfully traverse.

Applicant refer to the discussion of paragraph 31 above dealing with an identical rejection of claim 45.

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claim 56, dependent claim 56 has an independent basis for allowability and the rejection thereof should be withdrawn.

43. Claim 57

Office Action Position

The Office Action alleges:

“As per claim 57, Eintracht discloses wherein said server process executes on a client workstation of a user (col 2, lines 34-67).”

Applicants' Response

Applicants respectfully traverse.

Nowhere either at the cited location in the reference (Col. 2, lines 34-67) nor anywhere else in the cited reference does Eintracht teach said server process for responding to a user request, wherein the user request includes at least one of a request for said collaborative content, *executes on a client workstation* of a user, as recited by

instant claim 57. At Col. 2, lines 21- 24 Eintracht discloses "... A we server application on the server side functions to capture special requests from one or more client applications for creating, storing, editing, and retrieving, annotations related to specific documents located in the server. A notes server functions to log all annotation activities along with information about the correspond clients that create, edit and retrieve them. The notes information are transmitted between client and server applications ... over communications means...." The server stores the document and the annotations which together form the collaborative content of the present invention and at Col 2, lines 51-55 Eintracht teaches "... In accordance with the invention, the annotations are transmitted from the server independent of the data transmitted that is related to the viewed document. Eintracht teaches that "...a client software application functions to display the document that the user wishes to annotate and provides the tools necessary to permit the user to create, edit, retrieve and store notes."

In view of the foregoing remarks, and based on the introductory remarks concerning the requirements for an anticipation rejection, Eintracht does not anticipate dependent claim 57, dependent claim 57 has an independent basis for allowability and the rejection thereof should be withdrawn.

#### Claims 24-38

#### Office Action Position

The Office Action did not provide an individual basis for rejecting these claims.

#### Applicants' Response

Applicants assert that Eintracht does not teach or suggest the inventions recited by each of dependent claims 24-38.

Since there is no independent basis in the Office Action for rejecting claims 24-38, Applicants assert that claims 24-38 are allowable and the rejection of claims 24-38 should be withdrawn.

### **CONCLUSION**

In view of the foregoing remarks and analysis, it is respectfully submitted that all objections and rejections stated in the Office Action have been overcome, that claims 24-

38 were not rejected and are deemed allowed, and that claims 1-23 and 39-58 comply with all statutory requirements, and are now in condition for immediate allowance. A Notice of Allowance is respectfully requested.

In the event that the Examiner believes that it may facilitate the advancement of this application, the Examiner is invited to contact the undersigned attorney at the local Washington, D.C. telephone number indicated below.

Respectfully submitted,



Noreen O. Welch  
Reg. No. 45,208

Date: October 21, 2004

NOW/att

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